

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63225 of 2024

Arising Out of PS. Case No.-240 Year-2024 Thana- NAGAR District- Vaishali

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1. Govind Kumar S/o- Indradeo Bhagat Mohalla- Pokhara, Ramjivan Chowk, P.S.- Hajipur Town, District- Vaishali
 2. Shital Kumari @ Sheetal Kumari D/o- Prem Paswan Mohalla- Pokhara, Ramjivan Chowk, P.S.- Hajipur Town, District- Vaishali
 3. Sangeeta Devi W/o- Prem Paswan Mohalla- Pokhara, Ramjivan Chowk, P.S.- Hajipur Town, District- Vaishali
 4. Chandwati Devi W/o- Indradeo Bhagat Mohalla- Pokhara, Ramjivan Chowk, P.S.- Hajipur Town, District- Vaishali
 5. Prem Paswan @ Prem Kumar Paswan S/o- Indradeo Bhagat Mohalla- Pokhara, Ramjivan Chowk, P.S.- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Verma, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 05-10-2024 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. The petitioners apprehend their arrest in connection with Hajipur Town P. S. Case No. No. 240 of 2024 dated 06.04.2024 registered for the offence(s) punishable under Section(s) 447, 341, 323, 337, 324, 308, 379, 506 read with Section 34 of of the Indian Penal Code.
3. The main submissions advanced by the learned counsel for the petitioners are that all the allegations leveled in



the FIR are totally vague and false, in fact, on the alleged day and time of occurrence the prosecution party badly assaulted the petitioner no. 3 (Sangeeta Devi) and in that occurrence the daughter-in-law of Sangeeta Devi intervened to save petitioner no. 3 but she was also assaulted and owing to that assault she started bleeding and finally suffered miscarriage and in this regard Hajipur Town P.S. Case No. 237 of 2024 was registered and FIR's copy has been filed as Annexure-2. It is further submitted that after the registration of petitioners' case the FIR of the present matter was lodged with false and vague allegations though informant's husband is said to have been assaulted by means of sword but there is no specific allegation against any of the petitioners and the informant did not reveal the name of the accused who was mainly responsible for inflicting sword blow at the stomach of the informant's husband, however his injury has been opined to be simple in nature. It is further submitted that both the parties are neighbours and the petitioners have fair and clean antecedent and out of the five petitioners, three are women.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the facts and circumstances of this



case as well as above submissions and the nature of injuries sustained by the informant and her husband and coupled with fair and clean antecedent of the petitioners and also the fact that there is case and counter case in between both the parties and as per the above submission the daughter-in-law of the petitioner no.3 suffered miscarriage on account of the assault committed by the prosecution party with her, in my opinion, in the said circumstances, all the petitioners deserve to the privilege of anticipatory bail. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Hajipur Town P. S. Case No. 240 of 2024 on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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